

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4196

IN THE MATTER OF:

Served November 2, 1993

Application of THOMAS TOURS, INC.,)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-93-27

By application filed September 21, 1993, Thomas Tours, Inc. (TTI or applicant), a Maryland corporation, seeks a certificate of authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

Notice of this application was served on September 22, 1993, in Order No. 4170, and TTI was directed to publish further notice in a newspaper and file an affidavit of publication. TTI complied. The application is unopposed.

SUMMARY OF EVIDENCE

TTI's application includes information regarding, among other things, its corporate status, facilities, proposed tariff, finances, and regulatory compliance record.

TTI proposes to commence operations with eight motor coaches with seating capacities ranging from 47 to 49 passengers each. Applicant's proposed tariff contains hourly rates with minimum charges for charter service and flat rates for transfer service.

TTI's president certifies on its behalf that applicant has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Applicant filed a balance sheet as of July 31, 1993, showing current assets of \$17,049; net property and equipment of \$482,456; other assets of \$6,550; current liabilities of \$88,837; long-term liabilities of \$389,416; and equity of \$27,802. Applicant's combined operating and income statements for the nineteen months ended July 31, 1993, show income of \$1,362,165; expenses of \$1,344,649; and net income of \$17,516. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$50,000; other operating income of \$966,300; operating expenses of \$940,800; and net income of \$75,500.

It is certified that neither TTI nor any person controlling, controlled by, or under common control with TTI has any control relationship with a carrier other than TTI.

DISCUSSION AND CONCLUSION

This case is governed by the Compact, Title II, Article XI, Section 7(a), which provides in relevant part that:

. . . the Commission shall issue a certificate to any qualified applicant . . . if it finds that --

(i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and

(ii) that the transportation is consistent with the public interest.

Based on the evidence in this record, the Commission finds TTI to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. The Commission further finds that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That Thomas Tours, Inc., 11344 Cherry Hill Road, #203, Beltsville, MD 20705, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

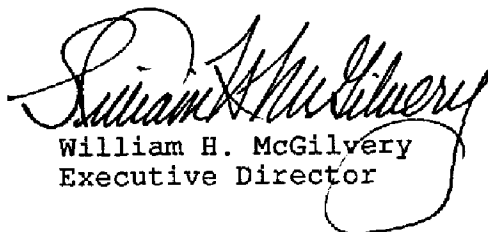
2. That Thomas Tours, Inc., is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61, for which purpose WMATC No. 236 is hereby assigned.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 236 shall be issued to Thomas Tours, Inc.

4. That unless Thomas Tours, Inc., complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may direct or

allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director

